

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action mailed October 4, 2006. A Petition for Extension of Time (one month) and the fee therefor are submitted herewith.

Applicant thanks the Examiner for the opportunity of a telephone interview conducted in September. The references cited in the previous Office Action were discussed as they relate to the independent claims of the present invention. During the interview, the Examiner indicated that if claim 1 were amended so as to recite more clearly features a) - c) discussed on page 10 of the Amendment filed on July 19, 2006, the claim would be allowable. The foregoing will serve as applicant's statement of the substance of the interview.

Claims 1, 2 and 9-20 are canceled without prejudice or disclaimer. Further, new claims 21 and 22 are added so as more fully to claim patentable features of applicant's invention. Accordingly, claims 3-8, 21 and 22 are the claims currently pending in the present application.

Claims 3 and 8 are amended to clarify features recited thereby.

Rejection of Claims 3-5, 7-11 and 13-17 under 35 U.S.C. § 102

Claims 3-5, 7-11 and 13-17 are rejected under 35 U.S.C. § 102 as being anticipated by Kajino (6,793,769). Reconsideration of this rejection is respectfully requested.

Claim 3 requires a plurality of recovery ducts, each duct of the plurality of recovery ducts comprising an upper guide member and a lower guide member, the upper guide member and the lower guide member forming a vertical opening wider than a distance between said rotating base and said atmosphere cutoff plate, wherein a vertical thickness of the atmosphere cutoff plate and a vertical thickness of the rotating base are provided such that a level of a lower surface of the lower guide member is set not lower than a level of a lower surface of the rotating base, and a level of a top surface of the upper guide member is set not higher than a level of a top surface of the atmosphere cutoff plate.

Kajino discloses a substrate processing apparatus but, as acknowledged by the Examiner during the Examiner interview, does not disclose a substrate processing apparatus with the foregoing three features. That is, Kajino does not disclose or suggest a vertical opening formed

by an upper guide member and a lower guide member that is wider than a distance between the rotating base and the atmosphere cutoff plate, such that the lower guide member is set not lower than a level of a lower surface of the rotating base, and such that a level of a top surface of the upper guide member is set not higher than a level of a top surface of the atmosphere cutoff plate. Accordingly, Kajino does not disclose or suggest the recitations of independent claim 3.

Claims 4-5, 7 and 8 depend from claim 3 and thus are patentably distinguishable over the cited art for at least the same reasons. Claims 9-11 and 13-17 are canceled without prejudice or disclaimer and thus the rejection is moot with respect to these claims.

Rejection of Claims 3-5, 7-11 and 13-17 under 35 U.S.C. § 102 over Hideki

Claims 3-5, 7-11 and 13-17 are rejected under 35 U.S.C. § 102(b) as being anticipated by Adachi (JP11-87294). Reconsideration of this rejection is respectfully requested.

Adachi does not disclose or suggest the above-cited features of claim 3. Accordingly, the recitations of claim 3 are not anticipated by Adachi.

Claims 4-5, 7 and 8 depend from claim 3 and thus are patentably distinguishable over the cited art for at least the same reasons. Claims 9-11 and 13-17 are canceled without prejudice or disclaimer and thus the rejection is moot with respect to these claims.

Rejection of Claims 6, 12 and 18 under 35 U.S.C. § 103

Claims 6, 12 and 18 are rejected under 35 U.S.C. § 103 as being obvious over Adachi in view of Tsuchiya (6,810,888). Reconsideration of this rejection is respectfully requested.

Tsuchiya does not cure the above-discussed deficiencies of JP '294 as they relate to the above-noted features of claim 3. Since claim 6 depends from claim 3, claim 6 is patentably distinguishable over the cited art for at least the same reasons.

Claims 12 and 18 are canceled without prejudice or disclaimer and the rejection is therefore moot with respect to these claims.

New Claims

New claims 21 and 22 are added so as more fully to claim patentable aspects of applicant's invention. New claims 21 and 22 are fully supported by applicant's disclosure, see for example Figures 2 and 4 for claim 21, and Figures 3 and 4 for claim 22.

Further, since claims 21 and 22 depend from claim 3, which is patentably distinguishable over the cited art for the reasons above-discussed, claims 21 and 22 are patentably distinguishable over the cited art for at least the same reasons.

In view of the foregoing discussion, withdrawal of the rejection and allowance of the application are respectfully requested.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Should the Examiner have any questions regarding the present Amendment or regarding the application generally, the Examiner is invited to telephone the undersigned attorney at the below-provided telephone number.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
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Respectfully submitted,



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